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Lisa Tinnirella

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of

GEORGE KU et al.

for: DRILLING DEVICE FOR LEFT-
HANDED AND RIGHT-HANDED
USERS

Serial No.: 10/772,461

Filed: February 6, 2004

)
) Examiner: Daniel W. Howell
)
) Group Art Unit: 3722
)
) Confirmation No. 5740
)
)
) Our Docket No. 5038-0052
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION

Dear Sir:

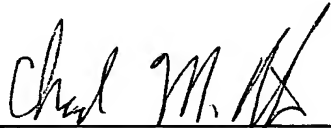
This Communication is in response to a Notice of Non-Compliant Amendment
that issued in the above-referenced application on June 27, 2006 and a Notice of
Abandonment that issued in the above-referenced application on January 31, 2007.

As you can see from the attached Notice of Non-Compliant Amendment and Notice of Abandonment (Exhibit A), the Notices were erroneously mailed to Rosenberg, Klein & Lee in Ellicott City, Maryland and not the attorney of record, McCormick, Paulding & Huber (Customer No. 35301). A copy of the Substitute Declaration and Power of Attorney and Appointment of Domestic Representative as filed on January 4, 2006 is attached as Exhibit B, evidencing the January 4, 2006 certificate of mailing.

The undersigned therefore requests that the U.S. Patent and Trademark Office issue a new Notice of Non-Compliant Amendment to the proper Attorney of Record and reset the date for Response.

No fees are considered to be due; however, if it is determined that payment of a fee is required, please charge our Deposit Account No. 13-0235.

Respectfully submitted,

By 
Chad M. Rink
Registration No. 58,258
Attorney for Applicants

McCormick, Paulding & Huber LLP
CityPlace II
185 Asylum Street
Hartford, Connecticut 06103-3402
Tel. (860) 549-5290
Fax (413) 733-4543
Customer No. 35301



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,461	02/06/2004	George Ku	MR3015-70	5740
4586 7590 01/31/2007 ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043				
EXAMINER HOWELL, DANIEL W				
ART UNIT		PAPER NUMBER		
3722				
MAIL DATE		DELIVERY MODE		
01/31/2007		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.





Notice of Abandonment

Application No.	Applicant(s)	
10/772,461	KU ET AL.	
Examiner	Art Unit	
Daniel W. Howell	3722	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 27 June 2006.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below.

Daniel W. Howell
Primary Examiner
Art Unit 3722

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,461	02/06/2004	George Ku	MR3015-70	5740

4586 7590 06/27/2006

ROSENBERG, KLEIN & LEE
3458 ELLICOTT CENTER DRIVE-SUITE 101
ELLICOTT CITY, MD 21043

EXAMINER

HOWELL, DANIEL W

ART UNIT

PAPER NUMBER

3722

DATE MAILED: 06/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notice of Non-Compliance
Amendment (37 CFR 1.121)**

Application No.

Applicant(s)

10772461

Examiner

Art Unit

Howell

3722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 04/18/06 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☒ 3. Amendments to the drawings:
- ☒ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☐ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment, an amendment filed after allowance, or a drawing submission (only). If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or


Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Toni Hakim

571-272-4353

Legal Instruments Examiner (LIE), if applicable

Telephone No.

Ser/Pat/TM No. <u>10/772461</u> File No. <u>5038-0052</u> Inventor Name(s) <u>George Ku et al.</u> Atty/Secretary <u>JKG/lt</u>	Date Received: 
Hon. Commissioner of Patents/Trademarks Please acknowledge receipt of the attachments by stamping the date received in the space indicated and returning this card to the addressee. McCormick, Paulding & Huber LLP	
<input type="checkbox"/> Specification - # of pages..... <input type="checkbox"/> Claims - # of pages..... <input type="checkbox"/> Drawings - # of sheets <input type="checkbox"/> Amendment <input type="checkbox"/> Issue Fee/Publication Fee <input type="checkbox"/> English translation document <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Marked up copy of specification/claims <input type="checkbox"/> Clean copy of specification/claims <input checked="" type="checkbox"/> Dec/POA (substitute)	<input checked="" type="checkbox"/> Transmittal letter (PTO-1595) <input type="checkbox"/> Check - \$ <input type="checkbox"/> IDS and PTO/SB/08A <input type="checkbox"/> Copies of IDS citations <input type="checkbox"/> Maintenance Fee <input type="checkbox"/> Extension of Time <input checked="" type="checkbox"/> Request to Correct <input type="checkbox"/> Inventionship <input checked="" type="checkbox"/> Statement of Ruey Zon Chen <input type="checkbox"/>





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Lisa M. Tinnirella

(TYPED NAME OF PERSON MAILING PAPER OR FEE)

Lisa M Tinnirella

(SIGNATURE OF PERSON MAILING PAPER OR FEE)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of)
) Examiner: Daniel W. Howell
GEORGE KU et al.)
) Group Art Unit: 3722
for: DRILLING DEVICE FOR)
LEFT-HANDED AND)
RIGHT-HANDED USERS)
)
Serial No.: 10/772,461)
) Our Docket No. 5038-0052
Filed: February 6, 2004)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO CORRECT INVENTORSHIP

Dear Sir/Ma'am:

Pursuant to 37 C.F.R. §1.48(a), Applicants request that the inventorship in the above-identified U.S. Patent Application No. 10/772,461 be corrected to remove the currently named Ruey Zon Chen as an inventor.

In support of this Request, the following documents are attached hereto:

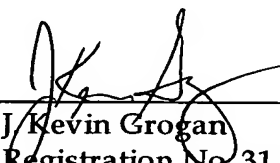
1. A statement by the currently named inventor Ruey Zon Chen, whose name is to be removed as an inventor in the above-identified patent application.
2. A Substitute Declaration and Power of Attorney executed by George Ku and Eric Lo.

Authorization is hereby granted to charge Deposit Account No. 13-0235 in the amount of \$130.00 to cover the cost of the processing fee set forth in 37 C.F.R. § 1.17(i). However, should there be any deficiency in fees associated with the filing of this Request, please charge our Deposit Account No. 13-0235.

Favorable consideration is respectfully requested.

Respectfully submitted,

By


J. Kevin Grogan
Registration No. 31,961
Attorney for Applicants

McCORMICK, PAULDING & HUBER LLP
CityPlace II, 185 Asylum Street
Hartford, CT 06103-4102
Tel: (860) 549-5290
Fax: (413) 733-4543



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Lisa M. Tinnirella

(TYPED NAME OF PERSON MAILING PAPER OR FEE)

Lisa M Tinnirella

(SIGNATURE OF PERSON MAILING PAPER OR FEE)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of

GEORGE KU et al.

for: DRILLING DEVICE FOR
LEFT-HANDED AND
RIGHT-HANDED USERS

Serial No.: 10/772,461

Filed: February 6, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

)
) Examiner: Daniel W. Howell
)
) Group Art Unit: 3722
)
)
)
)
) Our Docket No. 5038-0052
)

STATEMENT OF RUEY ZON CHEN IN
SUPPORT OF CHANGE IN INVENTORSHIP

Dear Sir:

I, Ruey Zon Chen hereby state that I consent to the removal of myself, Ruey Zon Chen, as a named inventor in the above-identified patent application. The error in naming Ruey Zon Chen as an inventor in the above-identified patent application occurred without any deceptive intention on my part.

Date: 12/5/2005

Ruey-zon Chen
Ruey Zon Chen



SUBSTITUTE DECLARATION AND POWER OF ATTORNEY AND
APPOINTMENT OF DOMESTIC REPRESENTATIVE

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

DRILLING DEVICE FOR LEFT-HANDED AND RIGHT-HANDED USERS

(Check _____ is attached hereto.
one)

X was filed on February 6, 2004
as U.S. Patent Application No. 10/772,461
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Sections 1.56 and 1.63(d).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or (f), or 356(b) of any foreign application(s) for patent or inventor's certificate or plant breeders rights certificate(s), or 356(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent, or inventor's certificate, or plant breeder's rights certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

			<u>Priority Claimed</u>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____ Yes/No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____ Yes/No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 and 1.63(d) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status - Patented, pending, abandoned)
-----------------------------------	------------------------	---

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States Provisional Application(s) listed below:

		Priority <u>Claimed</u>
<u>(Number)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u> <u>No</u>

POWER OF ATTORNEY

I hereby appoint all registered patent attorneys associated with Customer Number 35301 assigned to the firm of McCormick, Paulding & Huber LLP, CityPlace II, 185 Asylum Street, Hartford, Connecticut 06103-3402, telephone (860) 549-5290, as my attorneys to prosecute this application, to make alterations and amendments therein, to receive the patent and all correspondence relating to this application, and to transact all business in the U.S. Patent and Trademark Office connected therewith, and the said attorneys are hereby given full power of substitution and revocation.

APPOINTMENT OF DOMESTIC REPRESENTATIVE

The above-identified attorneys, also known as McCORMICK, PAULDING & HUBER LLP, whose postal address is CityPlace II, 185 Asylum Street, Hartford, Connecticut 06103-4102, United States of America, are hereby designated applicant's representative upon whom notices or process in proceedings affecting the patent may be served. Said firm shall take instructions from my foreign patent agents in all matters affecting this application and the patent.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such

willful false statements may jeopardize the validity of the application or any patent issued thereon.

GEORGE KU

Full name of sole or first inventor

George Ku
Inventor's Signature

12/5/2005 Taiwanese
Date Citizenship

4th Floor, No. 4, 58 Lane,
Tai-Peng City Taichung County,
Taiwan R.O.C.
Residence Address

Same as above
Post Office Address

ERIC LO

Full name of second inventor

Eric Lo
Inventor's Signature

12/5/2005 Taiwanese
Date Citizenship

No. 19, Chine sha #1 Road,
Ta Li City, Taichung County,
Taiwan R.O.C.
Residence Address

Same as above
Post Office Address